



Enhanced Regulatory Outreach Program NOTICE OF PUBLIC MEETING OF THE MARICOPA COUNTY PLANNING & ZONING COMMISSION

Date/Time: Thursday, July 25, 2019, 9:30 a.m.

**Location: Board of Supervisors Auditorium,
205 W. Jefferson St, Phoenix, AZ**

The Maricopa County Planning & Zoning Commission will host a Public Hearing regarding the following text amendment. If this Public Hearing is cancelled due to loss of quorum all items will be heard at the next available Commission Public Hearing. The subject matter to be discussed at the July 25, 2019 public hearing includes:

TA2018001 – Off-Site Advertising Signs (Billboards): This Text Amendment will amend Chapter 2, Definitions and Chapter 14, Articles 1403 and 1404 of the Maricopa County Zoning Ordinance (MCZO) relating to Off-Site Advertising Signs (Billboards). The Text Amendment also proposes additional usage, such as digital billboards, which are currently prohibited in Maricopa County. This request is applicant driven.

The proposed added language is underscored, and deleted language is struck-through. Chapter 14, Articles 1403 and 1404 have been re-written with all text underscored. Existing Language for Articles 1403 and 1404 have been struck-through:

Section 201 – DEFINITIONS

FREEWAY (REGARDING OFF-SITE ADVERTISING (BILLBOARDS)):

For the purpose of the location of Off-Site Advertising Signs (Billboards) only, Interstate 17 (I-17) south of Carefree Highway, I-10, Arizona State Route (SR) Loop 101, SR Loop 202, SR Loop 303, SR 24, and U.S. Highway 60 (U.S. 60 – Superstition Freeway), and their connections, and on and off ramps.

SCENIC CORRIDOR:

For the purpose of the location of Off-Site Advertising Signs (Billboards), scenic corridor shall refer to the Scenic Corridor Overlay Zoning Districts (as said forth in Chapter 10) and scenic corridor

district policy guidelines (Carefree Highway, Castle Highway, McMickem Dam, Olive Avenue, El Rio, I-17 North of Carefree Highway).

SIGN (BILLBOARD), EMBELLISHMENT:

Letters, figures, characters, or representations in cutouts, irregular forms, or similar ornamentation attached to or superimposed upon a billboard to provide a three-dimensional effect.

SIGN, OFF-SITE ADVERTISING (BILLBOARDS):

A freestanding sign portraying information which directs attention to an idea, issue, point of view, candidate, entity, business, commodity, service, entertainment, product or attraction sold, offered, or existing elsewhere than upon the property where the sign is located. Billboards as used in this this Ordinance without a modifying word shall mean both static and digital.

SIGN, OFF-SITE ADVERTISING (BILLBOARDS) – DIGITAL:

A billboard, utilizes digital message technology capable of changing the message or copy on the sign electronically, such that, the alphabetic, pictographic, or symbolic informational content can be changed or altered electronically on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements. This includes billboards with displays that have been preprogrammed to display only certain types of information (i.e., time, date, temperature) and billboards whose informational content can be changed or altered by means of computer-driven electronic impulses.

SIGN, OFF-SITE ADVERTISING (BILLBOARDS) – Static:

A billboard with a fixed message that changes no more than once in a 24-hour period.

ARTICLE 1403.3. OFF-SITE ADVERTISING SIGNS (BILLBOARDS) [C-2 AND C-3 ZONING DISTRICTS ONLY]:

1403.3.1 Billboards shall be permitted uses in the C-2 and C-3 zoning districts subject to the following conditions:

A. Separation Distance:

1. Distance from other billboards:

- a. When either an existing or proposed billboard is located **three (3) miles or greater** from the boundary of any incorporated city or town, shall maintain a radial separation distance from any other billboard of **3,000 feet**. Measurement shall be from the vertical edge of the sign face closest to the sign face of the structure to which is being measured. Measurement shall not cross any freeway, except within scenic corridors.
- b. When either an existing or proposed billboard is located **fewer than three (3) miles** from the boundary of any incorporated city or town, shall maintain a radial separation distance from any

other billboard of **1,000 feet**. Measurement shall be from the vertical edge of the sign face closest to the sign face of the structure to which is being measured. Measurement shall not cross any freeway, except within scenic corridors.

2. Static billboard conversion to digital billboard:

- a. Any non-conforming existing freeway billboard that is converted to digital must maintain a distance not fewer than **500 feet** from other freeway digital billboards, and must include a decorative pole cover which includes identifying the nearest City to billboard within the design at the City's discretion.

B. Setback Requirements: There shall be a 0' setback from any property line, except as follows:

1. No billboard shall be erected within **100 feet** of any residential zoning district boundary or a residential use in a rural zoning district, whether or not separated by a public right-of-way.
2. No illuminated billboard shall be erected within **150 feet** of a residential zoning district boundary or a residential use in a rural zoning district (refer to Chapter 11, Section 1112).
3. No billboard shall be erected within 500 feet of any park, school or roadside rest area.

C. Billboards shall not be audible in any manner.

D. No billboard shall be erected in or within **six-hundred sixty (660) feet** of a Scenic Corridor Overlay Zoning District.

E. No digital billboard shall be erected on any property located within any Maricopa County Scenic Corridor.

F. Development Standards:

1. Billboards located greater than 300' from of an existing freeway
 - a. Shall be limited to thirty (30) feet in height inclusive of all embellishments, lighting, and attachments.
 - b. Shall be limited to three-hundred (300) square feet in sign face area. The maximum square footage may be exceeded by up to ten percent (10%) by use of embellishments.
2. Billboards located within 300' of an existing freeway:
 - a. Shall be limited to forty-eight (48) feet above adjacent grade or elevation of the main travel lanes of a freeway or subject

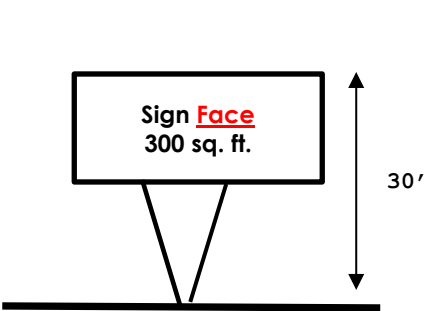
property (whichever is greater but not to exceed 80'), inclusive of all embellishments, lighting, and attachments.

- b. Shall be limited to six hundred seventy-two (672) square feet in sign face area. The maximum square footage of sign area may be exceeded by up to twenty percent (20%) by use of embellishments.

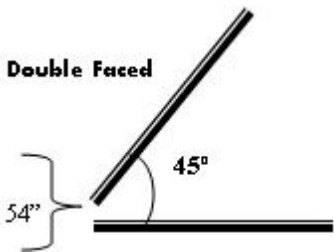
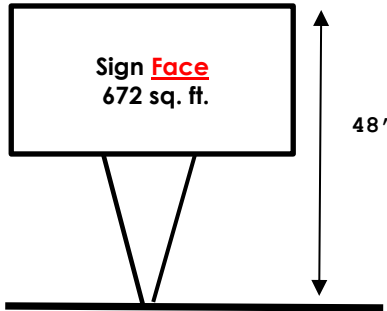
G. A billboard may be double-faced or "V" shaped, provided the "V" shape is designed so that there is no greater than **fifty-four (54) inches** between faces at the apex and the angle between the faces of the sign is no greater than **forty-five (45) degrees**.

	<u>Sign Face (Square Feet)</u>	<u>Embellishments</u>
<u>Billboards</u>	<u>300</u>	<u>10%</u>
<u>Billboards within 300' of a freeway</u>	<u>672</u>	<u>20%</u>

Billboards not within 300' of a freeway



Billboards within 300' of a Freeway



- H. Any modifications to a billboard within the Military Airport and Ancillary Military Facility Overlay Zoning District shall require a new Use Compatibility and Consistency Determination (UCCD) pursuant to Section 1010 of this Ordinance.
- I. All lighting shall adhere to Article 1112.3.2 of the Maricopa County Zoning Ordinance.
- J. Digital billboards shall be permitted if:

1. Located **fewer than three (3) miles** from the boundary of any incorporated city or town.
2. Billboards **not within 300'** of a freeway and (i) **not within 450'** of a rural or residential zoning district boundary, and (ii) not more than **30'** in height, and (iii) not more than **300 sq. ft.** in face area.
3. Network time shall be made available on all digital sign faces to federal, state, and local public safety agencies for emergency messaging. Such messages shall override all copy for one hour, and shall then be displayed for no fewer than eight seconds in every minute as long as needed.
4. Such billboard adheres to the provisions of Article 1401.3 of this Chapter, except that from 11:00 p.m. until sunrise all billboards illumination shall be extinguished and all billboards shall be equipped with an automatic devise to assure compliance. These illumination requirements shall not be applicable to the display of any Amber Alert or other governmental emergencies, or for other emergent situations as determined by the Zoning Administrator. Further, in the event of an electronic malfunction the sign shall be shut off until repairs have been made to restore the electronic messaging system.
5. Minimal display time shall not change-message more than once every eight (8) seconds.

K. General provisions applicable to digital billboards:

1. All lawfully existing static billboards on [EFFECTIVE DATE] that become non-conforming due to any changes to this Ordinance made on [EFFECTIVE DATE] may be converted to digital billboards and all support columns may be relocated a maximum of 20' from the existing location; provided that the converted billboard meets all requirements of this Article.
2. Nothing contained in this Ordinance shall affect the rights of any property granted a deviation by legislative or quasi-judicial action of Maricopa County.
3. Any new digital billboard (including conversions of existing static billboards to digital) shall be permitted as a Conditional Use per Section 1303, and subject to the following:
 - a. All digital billboard conditional use permits shall be approved by the Planning Director, or their designee upon the finding that:
 - i. The digital billboard will likely not cause a significant downgrade of property values on properties within 500 feet from the billboard structure.

- ii. Dimmers on all digital billboards shall be set in the evening hours (from sunset to 11:00 p.m.) not to exceed 300 nits.
- iii. Upon a determination that an application is determined to be complete, the applicant will be notified that a determination on the request will be made by the Planning Director within thirty (30) calendar days.
- iv. Fifteen calendar days prior to the determination by the Planning Director, the County shall mail notice to all affected properties within 150 feet of the subject property. If the property is within a municipal plan, the County shall also mail notice to that municipality.
- v. Upon determination by the Planning Director, an appeal may be filed within fifteen (15) calendar days to the Board of Adjustment challenging the interpretation by the Planning Director.

Article 1404.3 OFF-SITE ADVERTISING SIGNS (BILLBOARDS) [IND-2 AND IND-3 ZONING DISTRICTS ONLY]

1404.3.1 Off-site advertising signs (billboards) shall be a permitted use in the IND-2 and IND-3 zoning districts subject to all requirements set forth in Article 1403.3.1 of this Ordinance.

~~**ARTICLE 1403.3. OFF-SITE SIGNS, BILLBOARDS [C-2 AND C-3 ZONING DISTRICTS ONLY]:**~~

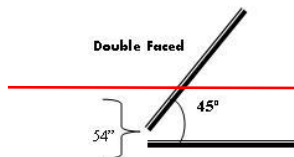
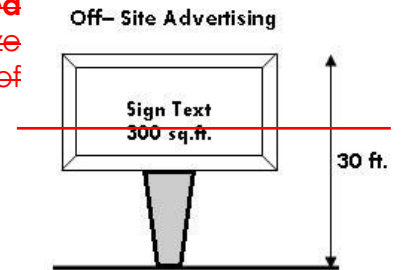
~~1403.3.1 Off-site signs shall be permitted uses in the C-2 and C-3 zoning districts provided each such sign shall:~~

- ~~1. Maintain a distance separation from any other off-site sign of **3,000 feet** of any offsite sign on the same street when either existing or proposed sign is located **three (3) miles or greater** from the boundary of any incorporated city or town.~~
- ~~2. Maintain a distance separation from any other off-site sign of **1,000 feet** of any offsite sign on the same street when either existing or proposed signs is located **fewer than three (3) miles** from the boundary of any incorporated city or town.~~
- ~~3. Such sign may be illuminated but no flashing, intermittent or moving illumination shall be employed. Any lighting used shall be in accordance with the adopted outdoor light control provisions (see Chapter 11, Section 1112. herein). Any off premise sign within **150 feet** of a rural or residential zone boundary shall be non-illuminated.~~

4. ~~Such sign shall not be located within **100 feet** of any rural or residential zoning district boundary, whether or not separated by a public right-of-way.~~
5. ~~Such sign shall not be located within **500 feet** of any park, school or roadside rest area.~~
6. ~~Such sign shall not be audible in any manner.~~
7. ~~Special Conditions:~~
 - a. ~~On State Route 74 between U. S. 60-89 and Lake Pleasant Road, no off-site signs shall be permitted within **six-hundred sixty (660) feet** of said highway right-of-way.~~
 - b. ~~On U. S. Highway 60-89 from Estrella Freeway to Wickenburg, no off-site signs shall be permitted within **six-hundred sixty (660) feet** of said highway right-of-way.~~

~~1403.3.2. Off-site signs in C-2 and C-3 zoning district are subject to the following development standards:~~

1. ~~Such sign shall not exceed **three-hundred (300) square feet** in area. A sign may utilize embellishments up to of **ten percent (10%)** of the sign area.~~
2. ~~Such sign shall not exceed **thirty (30) feet** in height.~~
3. ~~Such sign may be double faced or "V" shaped, provided the "V" shape is designed so that it is no greater than **fifty-four (54) inches** between faces at the apex and the angle between the faces of the sign is no greater than **forty-five (45) degrees**.~~



4. ~~Shall be freestanding.~~
5. ~~Shall maintain the same property line setbacks required by the underlying zoning district.~~

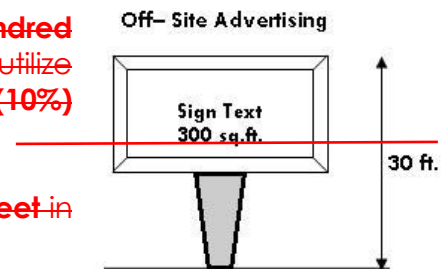
~~ARTICLE 1404.3. OFF-SITE SIGNS, BILLBOARDS [IND-2 AND IND-3 ZONING DISTRICTS ONLY]:~~

- 1404.3.1. ~~Off-site signs shall be permitted uses in the IND-2 and IND-3 zoning districts and provided each such sign shall:~~

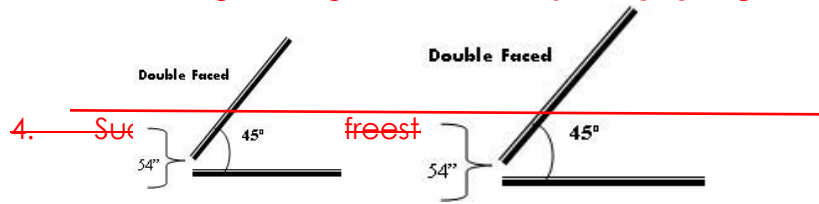
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- ~~3. Such sign may be double-faced or "V" shaped, provided the "V" shape is designed so that it is no greater than fifty four (54) **inches** between faces at the apex and the angle between the faces~~



of the sign is no greater than ~~forty-five (45) degrees.~~



5. ~~Shall maintain the same property line setbacks as required by the underlying zoning district.~~

The public may submit comments at:

<https://www.maricopa.gov/FormCenter/Regulatory-Outreach-17/Citizen-Comments-94>

The Staff Report will be available on the website five (5) days prior to the Planning and Zoning Commission Hearing.